



Northwestern

School District 56-3
P.O. Box 45, Mellette, South Dakota 57461
(605) 887-3467
FAX (605) 887-3101

Mike Steinhoff
Superintendent

Ray Sauerwein
Secondary Principal

Merle Bomesberger
Elementary Principal

Diana Larson
Business Manager

September 12, 2000

DOCKET FILE COPY ORIGINAL

Federal Communications Commission
Office of the Secretary
445 12th St, SW
Room TW-A325
Washington, DC 20554

In the matter of: Request for Review by Northwestern School District #56-3 of Decision of Universal Service Administrator, application #192043 for funding year 2000-2001

Re: FCC Docket Nos. 97-21 and 96-45.

We have been advised by the USAC that our appeal was received too late to be considered by them, but we are hereby requesting a review of that decision pursuant to 54.719(a)-(c),

Our reason for requesting the review is a reconsideration of acceptance of the appeal outside the 30-day period requirement. We are a small school district of less than 300 students K-12, and only a part-time summer staff. When the Funding Commitment Decision Letter arrived our one part-time person was absent due to a medical emergency. It was only when we all returned to full-time work on August 28th that we became aware of the due date for appeal. We prepared a response that very day and forwarded it to the USAC, even though that was the date on which it should actually have been "received" by the USAC.

We have attached a copy of our original appeal setting forth the reasons for the appeal, which we believe are legitimate. It appears that our requests for funding of telecommunications (POTS) services have been arbitrarily changed to "internal connections" by the USAC and thus denied. Also attached is a copy of pages 1, 5 and 6 of the funding commitment letter indicating that telecommunications services would have been approved at a 64% discount.

We beg your consideration and hope you will be understanding of our situation, since it was virtually impossible to comply with the due date. We acted in good faith by responding immediately upon becoming aware of the requirements. We request this relief because denial of funding would create an economic hardship for our small school since it would lose nearly \$14,000 of refund in telecommunications expenses.

Thank you for your consideration. We would be glad to furnish whatever additional information you may need to consider our appeal.

Sincerely yours,

Diana Larson
Business Manager

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List A B C D E

An Equal Opportunity Employer

August 28, 2000

Letter of Appeals
Schools and Libraries Division
Box 125, Correspondence Unit
80 South Jefferson Rd
Whippany, NJ 07981

Re: FCD letter of July 28, 2000
Form 471 Application #192043
Funding Year 3
Northwestern School District #56-3
Billed Entity #134226

Dear Appeals Division:

We wish to appeal items of the above referenced FCD letter as follows:

FRN 410196. Your funding commitment report indicates that this FRN is for "Internal Connections", but the Form 471 indicates that this is for telecommunications services. This item is in fact our POTS long distance services which are estimated at \$1017.15 per month and service charges totaling \$2300. We don't understand why these charges were changed to "internal connections" and feel that since these are telecommunications charges they should have been funded. See Attachment C.

Similarly, FRN 411744 is for telecommunications services to provide long distance services in the amount of \$6990.00. Again, we do not understand why this item was changed to "internal connections". We feel that since these are telecommunications charges that they too should be funded. See Attachment D (top portion).

We would appreciate your assistance and reconsideration of these items. Please feel free to contact me at any time to discuss these items further.

Sincerely yours,



Diana Larson
Business Manager



UNIVERSAL SERVICE
ADMINISTRATIVE CO.

Box 125 - Correspondence Unit
80 South Jefferson Road
Whippany, NJ 07981

SCHOOLS AND LIBRARIES DIVISION

FUNDING COMMITMENT DECISION LETTER

(Funding Year 3: 07/01/2000 - 06/30/2001)

July 28, 2000

NORTHWESTERN SCH DISTRICT 56-3
DIANA LARSON
221 3RD STREET
MELLETTTE, SD 57461

Re: Form 471 Application Number: 192043
Funding Year 3: 07/01/2000 - 06/30/2001
Billed Entity Number: 134226

Thank you for your 2000-2001 E-rate application and for any assistance you provided throughout our review. We have completed review of your Form 471. This letter is to advise you of our decision(s).

FUNDING COMMITMENT REPORT

On the pages following this letter, we have provided a Funding Commitment Report for the Form 471 application cited above. We have reviewed each Discount Funding Request on your Form 471 application and have assigned a Funding Request Number (FRN) to each Block 5. The enclosed report includes a list of the FRNs from your application. The SLD is also sending this information to your service provider(s) so preparations can be made to begin implementing your E-rate discount(s) upon the filing of your Form 486. Immediately preceding the Funding Commitment Report, you will find a guide that defines each line of the Report.

NEXT STEPS

Once you have reviewed this letter and have determined that some or all of your requests have been funded, your next step to facilitate receipt of discounts as featured in this letter will be to file an FCC Form 486 with the SLD. The Form 486 notifies the SLD to begin payment to your service provider and provides certified indication that your technology plan(s) has been approved. The Form 486 will be mailed to you under separate cover and is also available on the SLD web site at www.sl.universalservice.org. If you are filing a Form 486 for Funding Year 3 services (July 1, 2000 through June 30, 2001), there are certain circumstances under which you will be able to file your Form 486 before the receipt of services. These circumstances are detailed in the letter being sent to you under separate cover and on the web site. As you complete Form 486, you should also contact your service provider to verify they have received notice from the SLD of your funding commitments. After the SLD processes your Form 486, we can begin processing invoices from your service provider(s) so they can be reimbursed for discounted services they have provided you.

TO APPEAL THESE FUNDING COMMITMENT DECISIONS

If you wish to appeal the Funding Commitment Decision(s) (FCD) indicated in this letter, your appeal must be made in writing and RECEIVED BY THE SLD at the address below WITHIN 30 DAYS OF THE ABOVE DATE ON THIS LETTER. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and e-mail address (if available) for the person who can most readily discuss this appeal with us.

FUNDING COMMITMENT REPORT

Form 471 Application Number: 192043

Funding Request Number: 409787 Funding Status: Not Funded
SPIN: 143005436 Service Provider Name: Ultra, Inc. Of Watertown
Contract Number:
Services Ordered: Internal Connections
Earliest Possible Effective Date of Discount: 07/01/2000
Contract Expiration Date: N/A
Billing Account Number: N/A
Pre-Discount Amount: \$1,800.00
Discount Percentage Approved by the SLD: N/A
Funding Commitment Decision: \$0.00 - Srvc/Discnt will not be funded
Funding Commitment Decision Explanation: Funding cap will not provide for Internal Connections less than 81% discount to be funded. Please see WWW.SL.UNIVERSALSERVICE.ORG What's New Area for further details.

Funding Request Number: 409988 Funding Status: Funded
SPIN: 143008756 Service Provider Name: Western Wireless Corporation dba Cellular One
Contract Number: MTM
Services Ordered: Telecommunications Services
Earliest Possible Effective Date of Discount: 07/01/2000
Contract Expiration Date: N/A
Billing Account Number: 0003057243
Pre-Discount Amount: \$1,726.80
Discount Percentage Approved by the SLD: 64%
Funding Commitment Decision: \$1,105.15 - 471 approved as submitted

Funding Request Number: 410196 Funding Status: Not Funded
SPIN: 143005863 Service Provider Name: Accent Communications, Inc.
Contract Number: MTM
Services Ordered: Internal Connections
Earliest Possible Effective Date of Discount: 07/01/2000
Contract Expiration Date: N/A
Billing Account Number: 0101737
Pre-Discount Amount: \$14,505.80
Discount Percentage Approved by the SLD: N/A
Funding Commitment Decision: \$0.00 - Srvc/Discnt will NOT be funded
Funding Commitment Decision Explanation: Category of service was changed from Telcomm services to Internal connections. The funding cap will not provide 81% discount to be funded. For further details see WWW.SL.UNIVERSALSERVICE.ORG.

Funding Request Number: 411744 Funding Status: Not Funded
SPIN: 143013682 Service Provider Name: NorCom Advanced Technologies, Inc.
Contract Number: MTM
Services Ordered: Internal Connections
Earliest Possible Effective Date of Discount: 07/01/2000
Contract Expiration Date: N/A
Billing Account Number: NW SCHOOL
Pre-Discount Amount: \$6,990.00
Discount Percentage Approved by the SLD: N/A
Funding Commitment Decision: \$0.00 - Srvc/Discnt will NOT be funded
Funding Commitment Decision Explanation: Category of service was changed from Telcomm services to Internal connections. The funding cap will not provide 81% discount to be funded. For further details see WWW.SL.UNIVERSALSERVICE.ORG.



UNIVERSAL SERVICE
ADMINISTRATIVE CO.

Box 125 – Correspondence Unit
80 South Jefferson Road
Whippany, New Jersey 07981

SCHOOLS AND LIBRARIES DIVISION

Administrator's Decision on Appeal

September 5, 2000

Diana Larson
Northwestern School District 56-3
P.O. Box 45
Mellette, SD 57461

Re: Application Number: 192043
 Funding Year 2000 - 2001
 Date of Issuance of Funding
 Commitment Decision Letter: 7/28/00
 Date Appeal Received: 9/5/00 AM

Our records show that your appeal was received more than 30 days after the date your Funding Commitment Decisions Letter was issued (see dates above). The Federal Communications Commission (FCC) rules require applicants to submit appeals so USAC/SLD receives them within 30 days of the date that the relevant Funding Commitment Decision Letter was issued. (See "SLD Procedure for Post-Commitment Appeals" at <http://www.sl.universalservice.org/applv/10procpost.asp>.) The FCC rules do not permit the SLD to consider your appeal. If you wish to continue this process, you may submit a new appeal, stating the impediment to your filing your appeal within the original time, to the FCC at the following address:

Federal Communications Commission
Office of the Secretary
445 12th Street, S.W.
Room TW-A325
Washington, DC 20554

Schools and Libraries Division
Universal Services Administrative Company

FUNDING COMMITMENT REPORT

Form 471 Application Number: 192043

Funding Request Number: 412617 Funding Status: Not Funded
SPIN: 143008164 Service Provider Name: Norcom Advanced Technologies, Inc (Bergman Telec
Contract Number:
Services Ordered: Internal Connections
Earliest Possible Effective Date of Discount: 07/01/2000
Contract Expiration Date: N/A
Billing Account Number: NW School
Pre-Discount Amount: \$29,693.71
Discount Percentage Approved by the SLD: N/A
Funding Commitment Decision: \$0.00 - Srvc/Discnt will not be funded
Funding Commitment Decision Explanation: Funding cap will not provide for Internal
Connections less than 81% discount to be funded. Please see
WWW.SL.UNIVERSALSERVICE.ORG What's New Area for further details.

Funding Request Number: 416690 Funding Status: Not Funded
SPIN: 143005436 Service Provider Name: Ultra, Inc. Of Watertown
Contract Number:
Services Ordered: Internal Connections
Earliest Possible Effective Date of Discount: 07/01/2000
Contract Expiration Date: N/A
Billing Account Number: N/A
Pre-Discount Amount: \$1,800.00
Discount Percentage Approved by the SLD: N/A
Funding Commitment Decision: \$0.00 - Srvc/Discnt will NOT be funded
Funding Commitment Decision Explanation: Category of service was changed from
Internet Access to Internal Connections. The funding cap will not provide 81%
discount to be funded. For further details see WWW.SL.UNIVERSALSERVICE.ORG.